

**COLORADO WATER QUALITY CONTROL COMMISSION
STATE OF COLORADO**

REBUTTAL STATEMENT OF THE WATER QUALITY CONTROL DIVISION

**REVISIONS TO RECLAIMED WATER CONTROL REGULATION, REGULATION
#84 (5 CCR 1002-84)**

This Rebuttal is intended to convey the Water Quality Control Division's (Division) response to the Responsive Prehearing Statements to the above captioned hearing.

I. Division Recommendations

1. The Division supports the following jointly developed modifications to the proposed version of Regulation 84 that was publically noticed on March 5, 2013 to paragraph 4 of the Statement of Basis and Purpose, in response to recommendation s by the Division originally noted in the Division Responsive Prehearing statement dated March 27, 2013. The proposed change is now to strike the following from the SOBP language:

The Commission found that the following modifications to the nomenclature for authorized uses in Section 84.8 Table A are consistent with the intent of the original authorization of these uses, and presents no increase in the potential risk to human health or the environment. By modifying the nomenclature and clarifying the definition of these approved uses, similar industrial and commercial uses with similar human exposure, environmental release potential, and cross-connection potentials will be afforded the same protections under Regulation 84 and the individual Notices of Authorization issued by the Division.

And replace it with this:

The Commission found that the following modifications to the authorized uses in Section 84.8 Table A are consistent with the intent of the original authorization of these uses, and present no increase in the potential risk to human health or the environment. By modifying the nomenclature and definitions for these categories of approved uses, the regulation and Notices of Authorization issued by the Division afford the same protections for comparable industrial and commercial uses with similar human exposure, environmental release potential, and cross-connection.

2. The Division maintains its position on the proposed changes to Regulation #84 as stated in item #1 in the Division Responsive Prehearing Statement dated March 27, 2013.